The A. F. of L. Weekly News Service gives a brief summary of important matters affecting labor occurring in the industrial, legislative and judicial fields, and such other information that will benefit the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

Entered as second-class matter September 30, 1912, at the Post Office at Washington, D. C., under the Act of August 24, 1912. Acceptance for mailing at special rate of postage provided for in Sec. 1103, Act of October 3, 1917, authorized July 11, 1918.

Heaven ne'er helps the man who will not help himself.—Sophocles.

WHOLE NO. 881. WASHINGTON, D. C., SATURDAY, FEBRUARY 25, 1928. VOL. 17, NO. 50.

LABOR INJUNCTION JUDGES SEIZE EVERY POWER

A member of Congress would be ridiculed if he proposed that it be declared an offense whenever workers refuse to patronize an employer who insists on low-wage and poor work conditions.

But equity courts have taken this position through their new definition of property.

Under this definition if employes strike against unfair conditions they injure "property" and can be enjoined.

If they appeal to consumers not to aid this employer, they injure business by reducing income and can be stopped by equity.

The fundamental rights of the workers —free speech and free press—are not considered. These are subordinated to the single purpose of protecting what has recently been placed in the property list.

Equity judges have given employers a mortgage on patrons—when workers only are involved.

A rival business can lure these patrons from a business and injunction relief is impossible. But if workers truthfully tell the public of unjust work conditions, they are threatened with jail and fines.

This process places equity courts in the strikebreaking column. They do not say —as they formerly did—that when one engages in business he can not expect courts to aid him in maintaining poor work conditions or that human rights shall be ignored whenever his income is lessened as a result of his attempt to debase and degrade labor.

Formerly, patronage and to do business were considered personal rights. They had no standing in equity courts.

Then, personal rights were considered in law courts that were guided by statutory enactments and common law which define the rights of both parties. The law courts usually adhere to this statutory and common law for fear of being reversed on appeal.

In equity the judge is guided by no law. His conscience and his moods are his guide and his decisions are beyond appeal.

As wage workers increased their power through trade unions, opponents saw that the irresponsible equity judge, rather than law courts, served their purpose.

The workers are thrown into equity courts by the rule of these judges that patronage and to do business are property rights.

Thus the centuries' old equity process is stealthily enlarged.

The labor injunction is the logical result, for as personal rights are classed as property, equity has jurisdiction in protecting that "property."

The new definition of property is the foundation of the labor injunction.

Under present conditions each equity judge is a government unto himself. He roams at will, overturning courts of law, upsetting constitutional guarantees and undermining our system of government.

The Shipstead bill would re-establish the status of the injunction process when the jurisdiction of courts of law and courts of equity were defined and accepted.

Company "Union" Is Debated; Senator Wheeler Opposes Plan

New Haven, Conn., Feb. 25.—The company "union" was debated by Senator Burton K. Wheeler and Ivy Lee, well-known corporation publicist, at an open forum that filled one of the largest theaters in this city.

Mr. Lee is one of the originators of Rockefeller's company "union" in Southern Colorado. He has exhausted his vocabulary in praising his creature.

Senator Wheeler was as cold and logical as when fighting the Daugherty frame-up against him. He discussed his subject from the standpoint of principal and practice as shown by an investigation by the Russell Sage Foundation.

The survey revealed that the Colorado Fuel and Iron Company controls this "union" and pays representatives of the sham for time lost. No subject can be discussed without the consent of the company, thus permitting it to have spokesmen on both sides of the conference table.

"Any man who has an element of fairness in his make-up should repudiate such an arrangement," said the Western lawmaker. "This scheme is a snare and a delusion; it is a sham and a fake; it is slavery and tyranny, masquerading under the banner of patriotism and brotherhood."

Senator Wheeler read a letter from a man who occupies a high position in Colorado, who explained the helplessness of workers under the company "union" plan.

"Is it any wonder, under such a plan," said the Senator, "when the of workers have a 'voice' but no vote, when they stand alone in all their weakness, without a treasury, without an organization back of them, without trained leaders, in constant fear of losing their jobs if they be subservient to the company; is it any wonder, I repeat, that under such a scheme conditions should be so unbearable that a working man, when asked how it was that 15 I. W. W.'s were able to pull out 6,000 strikers, replied: 'O, hell, the W. C. T. U. could have pulled this strike, the conditions were so rotten.'"

The Montana lawmaker insisted that autocracy in industry must not exist in a land dedicated to democracy in government, democracy in education and democracy in religion. He praised the American Federation of Labor and cited a long list of its achievements that have proven beneficial to workers and to society in general.

"The workers' right to collective bargaining is the foundation upon which the organized workers stand," said Senator Wheeler. "It is the workers' only method of meeting organized industry on a basis of equality. This is the heart and soul of the labor movement. Those who favor collective bargaining are the friends of labor. Those who oppose it, or attempt to undermine it by high-sounding, plausible schemes, are dangerous enemies of the working people."

CAN TAFFY UPHOLD COMPANY "UNION"?

The Wall Street Journal says recent court decisions against the company "union" will compel employers to make membership in such organization "more attractive than allegiance to a body affiliated with the general labor movement."

The trade unions are attractive because they are not boss-controlled.

Under the company "union" system the employer selects his representatives and indicates who shall represent employes. The latter method is easily understood by practical men. The employer has thus spokesmen on both sides of the conference table.

He can make his company "union" attractive, not by more taffy but by permitting employes to freely select their representatives, even though they are not employed by him.

He dare not do this. It is the death knell of his fake "union."

His purpose is to deny employes collective bargaining in the true meaning of the term.

If he abandons this policy, he recognizes organized labor's fundamental principle, and his company "union" falls to pieces.

MINE STRIKE PROBE ORDERED BY SENATE

Washington, Feb. 25.—The Senate adopted a resolution by Senator Johnson of California that the Senate Interstate Commerce Committee investigate conditions in the bituminous coal fields of Pennsylvania, West Virginia and Ohio.

This subcommittee has been appointed by Chairman Watson to inspect the strike area: Senators Gooding, Metcalf, Pine, Wheeler and Wagner. The subcommittee will report observations to the full committee and then taking of testimony will begin with the calling of mine workers, coal owners and other witnesses.

The resolution gives the committee wide powers to inquire into every phase of the strike. These will include injunctions, violation of broken agreements, the coal and iron police, charges that the railroads are aiding the coal owners "and generally what has transpired in the coal fields."

The committee or any member may administer oath to witnesses, and any person who fails to respond to a subpoena or who refuses to answer questions shall be held to the penalties provided by federal law.

Courts Are Beyond Congress Is Railroad Attorney's Claim

Washington, Feb. 25.—The right of Congress to define the jurisdiction of federal courts in issuing injunctions was challenged by Alfred P. Thom, general counsel for the National Association of Railway Executives, in opposing the Shipstead bill before the Senate Judiciary Committee.

The attorney insisted that the courts are above and beyond any restriction by the lawmaking branch, even though Congress creates all federal courts other than the Supreme Court, which is authorized by the Constitution.

The Constitution provides that a Supreme Court "shall" be established, and that Congress "may" establish inferior federal courts. The first is mandatory on Congress and the other is optional. Senators Wa sh (Mont.) and Norris asked Mr. Thom if Congress can repeal laws creating these inferior courts. The answer was an emphatic "No."

The witness laid down the line of attack on the Shipstead bill when he said: "The definition of property is for the courts, not the legislative branch."

The Shipstead bill defines property as "tangible and transferable." The courts include patronage, good will, to do business and issues injunctions to protect these intangibles.

Mr. Thom insisted that the pending measure would annul all equity power of federal courts, although the bill provides for its use where the plaintiff has no remedy at law.

The veteran railroad attorney was not above a demagogic appeal in picturing what would happen to our system of government if the bill were passed.

He drew a terrifying picture of some state ordering that railroads should issue free passes without charge, and railroads in that state would have no relief through equity.

Senator Thom insisted that Senator Norris' query how he would correct the labor injunction evil, the witness replied that the court is sole judge, but whenever he oversteps his power impeachment is the only remedy.

"Anything you do is an invasion of the judicial power," the railroad attorney again and again declared. "The courts have inherent power you can't take away. It would be against our scheme of government."

Senator Walsh cited instances where Congress has whittled down judicial powers, and asked: "What is sacred about the injunction?"

"You regulate the procedure in issuing labor injunctions, such as notice to strikers, but the court's power must not be emasculated. The injunction process can not be substantially restricted," said Mr. Thom.

LABOR-SAVING DEVICES CAUSE UNEMPLOYMENT

Washington, Feb. 25. — New labor-saving devices will exact too heavy an unemployment toll unless new industries are brought into being for the worker whom the machine displaces, Secretary of Labor Davis told marine engineers at their convention in this city.

The cabinet member has repeatedly called attention to the automatic machine as an unemployment factor.

"Some of our joy over the great inventive genius of our masters of mechanics has been turning to grief," he said, "as we witness yearly the growing line of job seekers—trained men, middle-aged men of experience and extraordinary qualifications—who are forced from their trades and vocations by labor-saving machinery.

"We are not prepared to care for these displaced men. We were gleeful when a new machine did the work of 20 men, but we had no places for the 19 whom the machine process turned into the open world with the necessity of beginning all over again staring them in their honest faces.

"Unemployed produce nothing and consume little because they are without purchasing power."

LIMIT TO TRADE IF HIGH WAGES IS RULE

Boston, Feb. 25.—"Giving a man high wages and reducing the price of commodities automatically makes him a consumer of goods that he never dreamed he would ever be able to buy," said Edward A. Filene, influential business man of this city, in an address to the New England Purchasing Agents' Association.

"Those who know the most about mass production, and its essential ally, mass distribution, profess to see no definite limit to its extent to which this process can be carried," said Mr. Filene. "Certainly it has already greatly expanded the markets for many kinds of goods. We know that it is a part of sound business to supply not only goods to be consumed, but consumers to buy these goods.

"So great are the economies of mass production that wages can be increased while costs are reduced."

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MEN CAN'T BE HELD WITHOUT CHARGES

Denver, Feb. 25. — Federal Judge John F. Symes has ruled that Governor Adams had no authority to set aside constitutional rights by his order declaring a state of insurrection existed in Weld and Boulder counties in the northern coal strike fields.

The court overruled a motion by the State's Attorney General to quash a writ of habeas corpus issued in the Federal Court in behalf of several men engaged in the I. W. W. strike and who were jailed and held without charges under the governor's proclamation.

"It is a pretty serious thing for any authority to put people in jail and hold them without charges and without admission to bail," said Judge Symes. "It is contrary to the English common law. It is sound public policy that authorities should explain under such circumstances.

"This does not mean that the governor does not have the right to call out troops under certain circumstances, and hold men. That is such an extraordinary remedy, however, that it should be examined.

"I do not subscribe to the contention of the Attorney General that by signing a mere piece of paper the governor can do these things."

OLD-STYLE DIPLOMACY HAS LOST WORLD TOUCH

New York, Feb. 25.—Diplomacy as it is played now has lost touch with the pulse of the world, according to Count Carlo Sforza, Italian statesman, who is in this country on a lecture tour.

"Russia and Japan considers China, rather than the West, a market for her manufactured products.

"Incidentally," he added, "you Americans may as well realize that the Chinese dislike you as much as they do every other foreigner. We see constant references to the friendliness of China toward America, but it is all on the surface."

Count Sforza is not an ardent believer in the League of Nations.

"Perhaps some other sort of organization will be developed," he said. "I have seen so much of the inside workings of the League that I know its shortcomings too well to have the ardent faith in it professed by most internationalists."

Count Sforza is connected with the Carnegie Endowment for International Peace in Paris. The American office of this organization recently published an enthusiastic defense of Fascism, written by Signor Rocco, head of Mussolini's legal department.

CONTRACTORS OPPOSE MARKED PRISON GOODS

Washington, Feb. 25.—Defendants of prison-made goods were forced to acknowledge before a House committee that public hostility to convict made goods makes it impossible to market these goods if labeled "prison made." This testimony developed at hearings on the Cooper-Hawes bill.

Fred E. Lukens, Secretary of State of Idaho, said such a law will cause idleness in prisons. Recent prison riots in California were due to enforced idleness, he said.

Congressman Welch of California said these convicts are employed at hard labor and this was the cause of the riots, rather than idleness, as contended.

CITY-OWNED CAR LINES URGED BY OFFICIAL

New York, Feb. 25.—Public ownership of transit facilities in this city is proposed by Comptroller Charles W. Berry in a report to the Board of Estimate.

He would have the city take over all subway, elevated, surface and bus lines, which eventually it would own outright. The city would control finances and the operating would be by a company under municipal supervision.

The subways are owned by the city which rents them to companies. Title is vested in the city because they were built largely by city money.

The elevated lines are in a sort of half-way condition. Most of them were built entirely by private capital, but in return for a considerable city guaranty, undergraduate improvements and extensions, all of them are operated under contract with the city.

HITS COTTON COMBINES

Washington, Feb. 25.—Monopolies are "demoralizing the cotton industry," said Congressman Rankin of Mississippi, in the open market bill introduced in the Sherman anti-trust law which is intended to aid the Department of Justice in prosecuting alleged cotton combines.

Mr. Rankin assailed "unlawful manipulation of the cotton market through brazen price fixing," declaring that large cotton dealers removed much of the commodity from the active market in order to control prices.

YALE MEN AID STRIKE; COURT IS DISPLEASED

New Haven, Conn., Feb. 25.—The appeal of 18 Yale University students against fines of $2 each for distributing handbills in favor of striking sweatshop workers was sustained by Judge Walter M. Pickett in the Common Pleas Court. The test was made in the case of one defendant.

The court indicated his displeasure at the action of the students, but said the ordinance prohibiting littering the streets with handbills was not violated.

Sympathy of the students for workers who are striking against homework conditions was ridiculed by the court, who lectured the defendants for taking "uncivil liberties" in their temporary residence.

"The posture of these ardent young guests in the city," sneered the court, "joyously enlisting in a controversy which they have no generosity (?) complimenting the laws, the departments and the institutions of their hospitality, suggest that they have taken uncivil liberties rather than they have been deprived of civil liberties."

"By this extramural activity, attributable to the throes of experimental sociology, undergraduate effervescence of unseasoned solicitude, under the ordinance as I interpret it, the defendant is guilty of no offense punishable by the court."

WORKERS ARE URGED TO AID PRISON BILL

Washington, Feb. 25.—President Green has again appealed to organized labor to support Congressman Hawes and Senators to support the Cooper-Hawes bill.

If this measure is approved, convict-made products imported into a state shall be controlled by the laws of that state as though manufactured within the state.

"Labor's aggressive campaign for the bill has met with great opposition," said President Green. "In those penitentiaries in which goods are manufactured by convicts for sale in the open market there are some officials with their political affiliations, backers and supporters who oppose the measure. These are others who are contracts. All of these, with their clientele, are battling to retain the use and operation of their profit-making machines."

SURPLUS OF LABOR REPORTED IN U. S.

Washington, Feb. 25.—A surplus of labor "in many quarters of the United States" and a "considerable degree of unemployment" are reported by the United States Employment Service.

Confidence was expressed that resumption of industrial and construction activities will occur within the near future and improve the outlook.

"At the present time considerable unemployment exists," the report said, "but it is believed it will soon melt away, for, just around the corner employment opportunities are waiting, depending entirely upon weather conditions."

APPLY FIVE-DAY WEEK

Seattle, Feb. 25.—The local Typographical Union has established the five-day week for two months. The printers would relieve unemployed members.

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Washington, Feb. 25. — New labor-saving devices will exact too heavy an unemployment toll unless new industries are brought into being for the worker whom the machine displaces, Secretary of Labor Davis told marine engineers at their convention in this city.

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UNIONS ARE ILLEGAL IN COURT OF EQUITY

Toronto, Canada, Feb. 25.—An unregistered trade union can not appeal for injunction enforcement of a contract, said Justice Raney in denying the International Ladies' Garment Workers' Union an order that the Cloak Manufacturers' Protective Association live up to their agreement with the union.

Attorneys for the union were confident that the court would issue the injunction, which employers can easily secure, but the court held that in the province of Ontario a union is an illegal society and is incapable of maintaining a civil action in the Province of Ontario.

"The decision means," said J. L. Cohen, general counsel for the garment workers' union, "that unregistered labor organizations can not appeal to the court and it leaves unregistered labor organizations free of the incorporated employers' associations.

"The international unions disregard the rules and regulations, which, he declared, is a federal act that presumes to validate trade unions and their agreements.

"Registration involves certain risks," Mr. Cohen said, "and the international trade union movement, as a consequence, has avoided the act."

The decision does not affect the unions other than to deny them court aid in enforcing their agreement, according to the attorney.

FEDERAL TRADE BOARD STOPS PRICE FIXING

Washington, Feb. 25.—A standard scale of prices adopted by the American Photo-Engravers' Association has been outlawed by the Federal Trade Commission.

These business men attempted to stabilize their industry, but the trade commission holds this is a "suppression of competition." The order was served upon 231 respondents.

The use in contracts with local photo-engravers' unions of the provision known as "Clause Ten" is also prohibited.

An effort was made to involve the International Photo-Engravers' Union, but the commission dismissed the complaint. This action was opposed by Chairman Humphrey.

The employers' standard prices followed an investigation into average costs and was intended to check a ruinous competition in this industry that jeopardized wages and a fair return to employers.

It would appear that the photo-engraving employers made the mistake of openly stating that therefore that competition is ruinous, rather than reaching the same conclusion by secret "gentlemen's agreements" that are so common in other industries.

MAIL ORDER HOUSE STARTS CHAIN STORES

Chicago, Feb. 25.—The mail order house of Montgomery Ward & Co. has developed a retail chain-store program that will reach from coast to coast.

Fifty stores have been opened during the last 18 months. This will be increased to 150 during the year. The objective is at least one store in each of the 1,500 towns of more than 5,000 population in the United States where a suitable location can be secured.

New York, Feb. 25.—The increase of chain stores was considered at the annual convention of the National Retail Dry Goods Association. Speakers said every effort should be made to eliminate waste that competition with the new rival may be met.

BRITISH 8-HOUR DAY NOT BEING ENFORCED

London, England, Feb. 25.—The House of Commons defeated a labor motion complaining of the government's failure to deal with the unemployment situation.

In the debate Premier Baldwin defended the government's refusal to ratify the Washington convention fixing the eight-hour day as the standard for labor. He said that until clearness on all points in the agreement is achieved there would be danger to our power to maintain our standard of life if we left ourselves open to competition which, in the view of the government would be unfair."

The premier insisted that te British government is eager to have the disputed points clarified.

CASEY BATS HOME RUN; "ECONOMY" EXPOSED

Washington, Feb. 25. — John J. Casey, Congressman from Wilkes-Barre (Pa.) district and member of the Plumbers' Union, exposed pennypinching "economy" and the Federal Efficiency Bureau, which is supposed to increase salaries of government employes when merit warrants.

A witness from the District of Columbia Commissioner's office refused to enlighten the House Appropriation Committee on the money asked to pay increased salaries under the "efficiency" plan. He said he was prohibited by executive orders.

Mr. Casey stood on his rights as a Congressman and forced the witness to acknowledge the Federal employes in the District of Columbia are entitled to $164,000 increase. The District Commissioners asked for $84,000 to meet these just claims, but the Bureau of the Budget applied its "economy" and reduced the amount to $30,800.

The Wilkes-Barre Congressman protested against an "efficiency" system that encourages employes to strive for a higher rating under promise of increased salary which is then but to a fraction of the promised advance.

The committee joined with Mr. Casey in repudiating this sharp practice and favored an appropriation large enough for the government to fulfill its promise.

APPEAL FOR MINERS MADE BY LABOR RADIO

Chicago, Feb. 25.—Every night for the last two months radio station WCFL, owned and controlled by the Chicago Federation of Labor, tells of the miners' strike and appeals for help in the relief of suffering men and children. The miners' story is presented in different forms by R. L. Rediffe, who has donated his services.

Labor's radio has acquainted millions of people with the facts in this industry, and the influence of a reactionary press, that would corrupt public opinion, has been destroyed.

Chicago trade unions built this broadcast station. It is a monument to their zeal and solidarity and to the perseverance of Edward Nockels, secretary of the Chicago Federation of Labor.

PIONEER SPIRIT GONE

Washington, Feb. 25.—The pioneer spirit in America is gone, C. Seagraves, colonization agent of the Santa Fe Railroad, told members of the House Committee on Irrigation.

"The average family," the witness said, "will not consider the pioneering of an undeveloped country, but demands that the land be leveled, irrigated and generally improved."

FASCISTS LEGALIZED; STATE IS SET ASIDE

New York, Feb. 25.—The Grand Fascist Council has recognized itself as a constitutional part of the state, according to European cables. The council has gradually usurped all powers of the Italian parliament. The king is a figurehead.

This situation can best be understood if it were assumed that the political party now in control of the United States government announced that its wishes, rather than the Constitution, would prevail; that free press, speech and assemblage are abrogated; that no resolution can be introduced in Congress without the consent of the leader of the party, and that the President of the United States is merely an ornament.

This would be followed by the party legalizing itself as a part of the state. Its decrees would be backed by the racial army of Black Shirts that are comparable to the private army of Pennsylvania coal owners.

PAINTS PROSPERITY IN GLOOMY COLORS

Washington, Feb. 25.—Congressman Ellis of Tennessee stated in the House that there are 4,000,000 jobless throughout the nation. He said the stock exchanges are prospering and that the farmers, especially, are being driven to ruin.

Armed with imposing statistical tables, the lawmaker said railroads, automobiles, lumber, building trades, textiles, mines, agriculture and even public utilities are declining and bankruptcy and foreclosures increasing. Stock exchange "prosperity," he said, is leading to disaster through speculation and inflation.

Patriotism Must Be Balanced; Clerics Scorn Narrow View

Washington, Feb. 25.—"The duties of patriotism must be expounded in a more restrained and balanced way than heretofore," says the Catholic Association for International Peace in a preliminary report on international ethics.

The report was prepared by nine leading Catholic college and university professors and was revised following discussion in a meeting of the organization.

"Men must be taught," the report states, "that it is not 'sweet and becoming to die for one's country' if one's country is fighting for that which is unjust. Without denying or weakening the sentiment of national patriotism, we set forth that wider and higher patriotism which takes in all the peoples of the earth. The most important part of our efforts in this field must be specifically, courageously and persistently directed against the spirit of exclusiveness and narrowness which characterizes that perversion of national sentiment now stigmatized as nationalism. The task of arresting and counteracting it will be long and arduous. Until it is accomplished, however, no fundamental progress can be made in the prevention of war and the safeguarding of peace.

"Instead of laying stress upon the lawfulness of engaging in a war of self-defense, we should clearly and fully and frequently set forth the conditions which are required according to the principles of morality."

While citizens have a prima facie valid claim to protection by their government in foreign lands, the report states, "travelers and residents forfeit and extreme. The motive of the nation which intervenes must be free from selfishness. A state has no right to intervene by force in the affairs of another so long as milder methods, even those of moral coercion, are sufficient," says the committee.

The committee places strict limitations on the right of self-development of a nation. "This must be exercised with due regard to the rights of other states," the clergymen say. "It does not justify conquest nor making the flag follow either migration or trade nor forcible annexation of territory which has once been subject to the state that thus seeks expansion." The report grants the right of colonization, but restricts it "to sparsely developed territory which lacks an organized government worthy of the name."

BILLIONS INVOLVED IN RAIL RATE CASE

St. Louis, Mo., Feb. 25.—The St. Louis & O'Fallon Railway Company filed in the Federal District Court an appeal to the United States Supreme Court from the recent decision of three Federal judges upholding a valuation of the road by the Interstate Commerce Commission.

On its face this case merely involves a nine-mile switching road in East St. Louis, but the principle in question is: Shall the Interstate Commerce Commission, in placing a value on a road for rate-making purposes, consider present-day costs, or shall values be based on the amount of money invested.

The railroads of the country are supporting the small nine-mile railroad in its claim that values should be based on present-day costs. This theory has been upheld by a lower United States Supreme Court in the Indianapolis water works case. If the St. Louis road wins, the decision will apply to every other road and railroad values will be increased billions of dollars. This will necessitate an increase of freight rates to make possible a "fair return" on valuation.

Because of its far-reaching consequences, the case is referred to as "the biggest law suit in history."

U. S. LEADERSHIP LOST IN FAR SOUTH

Atlanta, Feb. 25.—The United States has lost its leadership among Latin-American nations, said Prof. James W. Garner of the University of Illinois, at a citizens' dinner conference in this city.

"We were once a brother, but now we are an international policeman," said the speaker.

Prof. Garner condemned United States intervention in any nation to protect the interest of American citizenship.

"The man who goes into another nation and lays down his dollars for profit has no right to demand of his government to protect his interest," he declared.

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